



## **ENVIRONMENTAL PROTECTION AGENCY**

**[EPA-HQ-OPP-2009-1017; FRL-9359-1]**

### **Product Cancellation Order for Certain Pesticide Registrations**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** This notice announces EPA's order for the cancellations, voluntarily requested by the registrants and accepted by the Agency, of the products listed in Table 1 and 2 of Unit II., pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). This cancellation order follows a June 13, 2012 **Federal Register** Notice of Receipt of Requests from the registrants listed in Table 3 of Unit II. to voluntarily cancel these product registrations. In the June 13, 2012 notice, EPA indicated that it would issue an order implementing the cancellations, unless the Agency received substantive comments within the 30 day comment period that would merit its further review of these requests, or unless the registrants withdrew their requests. The Agency received notice from one registrant, Aceto Agricultural Chemicals Corp, to withdraw their cancellation request for registration no. 002749-00119, a tributyltin oxide product. EPA did not receive any other comments on the notice. Accordingly, EPA hereby issues in this notice a cancellation order granting the requested cancellations, with the exception of registration no. 002749-00119. Any distribution, sale, or use of the products subject to this cancellation order is permitted only in accordance with the terms of this order, including any existing stocks provisions.

**DATES:** The cancellations are effective [*insert date of publication in the Federal Register*].

**FOR FURTHER INFORMATION CONTACT:** Katie Weyrauch, Pesticide Re-evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection

Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460–0001; telephone number: (703) 308-0166; fax number: (703) 308-8005; email address: [weyrauch.katie@epa.gov](mailto:weyrauch.katie@epa.gov).

## **SUPPLEMENTARY INFORMATION:**

### **I. General Information**

#### *A. Does this Action Apply to Me?*

This action is directed to the public in general, and may be of interest to a wide range of stakeholders including environmental, human health, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others also may be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action.

#### *B. How Can I Get Copies of this Document and Other Related Information?*

The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2009-1017, is available at <http://www.regulations.gov> or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), EPA West Bldg., Rm. 3334, 1301 Constitution Ave., NW., Washington, DC 20460-0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OPP Docket is (703) 305-5805. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

### **II. What Action is the Agency Taking?**

This notice announces the cancellation, as requested by registrants, of 121 products registered under FIFRA section 3. These registrations are listed in sequence by registration number in Tables 1 and 2 of this unit.

**Table 1.–Product Cancellations**

Registration No.	Product Name	Chemical Name
000056-00068	Eaton's Answer II	Piperonyl butoxide, Pyrethrins, Silicon Dioxide
000279-03106	Command 50 WP Herbicide	Clomazone
000402-00123	No. 2306 Di-Cide	Poly(oxy-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl dichloride)
000577-00545	Clear Cuprinol Brand Wood Preservative No. 20	Zinc naphthenate
000707-00286	Durotex 5000	Octhilinone, 5-Chloro-2-methyl-3(2H)-isothiazolone, 2-Methyl-3(2H)-isothiazolone
000748-06010	Liquid Chlorine	Chlorine
000748-06011	Liquid Chlorine MU	Chlorine
001706-00159	Nalco 2594	Poly(oxy-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl dichloride)
002724-00457	Zoecon 9204 Fogger	Permethrin, 2,4-Dodecadienoic acid, 3,7,11-trimethyl-, ethyl ester, (S-(E,E))-
002724-00780	Permethrin Plus Inverted Carpet Spray	MGK 264, Permethrin, Pyriproxyfen
005481-00434	Tre-Hold for Citrus	Ethyl 1-naphthaleneacetate

010088-00086	Flying Insect Killer	d-trans-Chrysanthemum monocarboxylic ester of dl-2-allyl-4-hydroxy-3-methyl-2-cyclopenten-1-one, MGK 264, Piperonyl butoxide
010807-00191	Misty Fire Ant Injector Spray II	Tetramethrin, Esfenvalerate
032802-00028	Seed Safe - Turf Care (3.71% Siduron + 10-15-10 Lawn Food)	Siduron
035571-00001	Chem Pro Algae Control Ed Liquid	Poly(oxy-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl dichloride)
047000-00085	Chem-Tech Dy-Sect Spray	d-trans-Chrysanthemum monocarboxylic ester of dl-2-allyl-4-hydroxy-3-methyl-2-cyclopenten-1-one, Permethrin
047000-00088	CT-250	Piperonyl butoxide, Pyrethrins, Permethrin
055137-00001	Bio/Tec 112	Poly(oxy-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl dichloride)
060061-00009	Wolman Wood Preservative with Water Repellent Clear	Zinc naphthenate, Diiodomethyl p-tolyl sulfone
060061-00016	No. 00 Ready to Use Copper Treat	Copper naphthenate
061842-00012	Polyquat	Poly(oxy-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl dichloride)
062719-00263	Lawn Fertilizer Plus Confront Weed Control	Clopyralid Triclopyr, triethylamine salt

066806-00001	MB-507	Poly(oxy-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl dichloride)
067360-00003	Intercide TJP	Tributyltin oxide
075613-00001	Stormoellen A/S - Stalosan F	Copper sulfate pentahydrate
081880-00020	MON 12036 Herbicide	Halosulfuron-methyl
AR020001	Goal 2XL Herbicide	Oxyfluorfen
AR940005	Lorsban 4E-HF	Chlorpyrifos
AR960009	Goal (R) 2XL Herbicide	Oxyfluorfen
AZ020002	Kerb 50W Herbicide in WSP	Propyzamide
AZ020010	Kerb 50W Herbicide in WSP	Propyzamide
AZ050005	Kerb 50W Herbicide in WSP	Propyzamide
CA000014	Visor 2E Herbicide	Thiazopyr
CA010017	Visor 2E Herbicide	Thiazopyr
CA020010	Success	Spinosad
CA020016	GF120 Fruit Fly Bait	Spinosad
CA040020	Kerb	Propyzamide
CA040021	Visor*2E	Thiazopyr
CA790002	Kerb 50W Selective Herbicide	Propyzamide
CA950008	Goal 1.6E Herbicide	Oxyfluorfen
CA950014	Lorsban4E	Chlorpyrifos
CA960019	Goal (R) 2XL Herbicide	Oxyfluorfen
CA960020	Goal (R) 2XL Herbicide	Oxyfluorfen

CA960021	Goal (R) 2XL Herbicide	Oxyfluorfen
CA960022	Goal (R) 2XL Herbicide	Oxyfluorfen
CA960023	Goal (R) 2XL Herbicide	Oxyfluorfen
CA960026	Goal (R) 2XL Herbicide	Oxyfluorfen
CA960028	Goal (R) 2XL Herbicide	Oxyfluorfen
CA970026	Goal (R) 2XL Herbicide	Oxyfluorfen
CA990007	Visor 2E Herbicide	Thiazopyr
CA990008	Visor 2E Herbicide	Thiazopyr
CT020003	Goal 2XL Herbicide	Oxyfluorfen
DE930004	Lorsban 4EHF	Chlorpyrifos
FL990010	Visor 2E Herbicide	Thiazopyr
GA980001	Tracer	Spinosad
HI020001	Goal 2XL Herbicide	Oxyfluorfen
IA080001	GF2017	Nitrapyrin
ID910016	Kerb 50W Herbicide in WSP	Propyzamide
KY040001	Strongarm	Diclosulam
LA020001	Goal 2XL Herbicide	Oxyfluorfen
LA020007	Goal 2XL	Oxyfluorfen
LA060011	Intrepid 2F	Methoxyfenozide
LA960012	Goal (R) 2XL Herbicide	Oxyfluorfen
MI940001	Lorsban 4EHF	Chlorpyrifos
MI970002	Goal (R) 2XL Herbicide	Oxyfluorfen
MN960006	Goal (R) 2XL Herbicide	Oxyfluorfen

MO040004	Lorsban4E	Chlorpyrifos
MS000010	Goal 2XL Herbicide	Oxyfluorfen
MS010012	Glyphomax	Glyphosateisopropylammonium
MS020003	Goal 2XL Herbicide	Oxyfluorfen
MS050001	Glyphomax XRT	Glyphosateisopropylammonium
MS050002	Glypro	Glyphosateisopropylammonium
MS960015	Goal (R) 2XL Herbicide	Oxyfluorfen
MT960003	Goal (R) 2XL Herbicide	Oxyfluorfen
NC020003	Goal 2XL Herbicide	Oxyfluorfen
NC960005	Goal (R) 2XL Herbicide	Oxyfluorfen
NC960006	Goal (R) 2XL Herbicide	Oxyfluorfen
NC970004	Tracer	Spinosad
NC990007	Goal (R) 2XL Herbicide	Oxyfluorfen
ND010005	NAF545	Glyphosateisopropylammonium
ND020006	Goal 2XL Herbicide	Oxyfluorfen
ND020007	Goal 2XL Herbicide	Oxyfluorfen
ND050008	Durango	Glyphosate- isopropylammonium
ND960005	Goal (R) 2XL Herbicide	Oxyfluorfen
ND980001	Goal (R) 2XL Herbicide	Oxyfluorfen
NJ010001	Spintor 2SC	Spinosad
NV940002	Lorsban 4E-HF	Chlorpyrifos
NV990007	Goal (R) 2XL Herbicide	Oxyfluorfen
NY060002	Garlon 3A	Triclopyr, triethylamine salt

NY080008	Radiant SC	Spinetoram (minor component (4-methyl)) Spinetoram (major component (4,5-dihydro))
NY080009	Delegate WG	Spinetoram (minor component (4-methyl)) Spinetoram (major component (4,5-dihydro))
OR940027	Lorsban 4E-HF	Chlorpyrifos
OR960037	Goal (R) 2XL Herbicide	Oxyfluorfen
OR970008	Goal (R) 2XL Herbicide	Oxyfluorfen
PA010003	Spintor 2SC	Spinosad
SC000001	Telone II	Telone
SC970005	Tracer	Spinosad
SD010002	Goal 2XL Herbicide	Oxyfluorfen
SD960006	Goal (R) 2XL Herbicide	Oxyfluorfen
TN060005	Telone II	Telone
TN990002	Tracer	Spinosad
TX000002	Visor 2E Herbicide	Thiazopyr
TX040023	Lock-On	Chlorpyrifos
VA020002	Spintor 2SC	Spinosad
WA000010	Lorsban-4E	Chlorpyrifos
WA970024	Goal (R) 2XL Herbicide	Oxyfluorfen
WI030005	Lorsban-4E	Chlorpyrifos
WV010001	Spintor 2SC	Spinosad

Table 2 contains a list of registrations for which companies paying at one of the maintenance fee caps requested cancellation in the FY 2012 maintenance fee billing



cycle. Because maintaining these registrations as active would require no additional fee, the Agency is treating these requests as voluntary cancellations under 6(f)(1).

**Table 2.-Cancellations of Products Due to Non-Payment of Maintenance Fees**

Registration No.	Product Name	Chemical Name
002724-00621	Speer Py-Perm Aqueous Insect Killer #4	Permethrin; Pyrethrins; Piperonyl butoxide
010324-00100	Maquat MC1416- 255T	Alkyl* dimethyl benzyl ammonium chloride; Tributyltin oxide
010324-00101	Microbiocide T-40	Alkyl* dimethyl benzyl ammonium chloride; Tributyltin oxide
083504-00003	Polyquat MUP	Poly(oxyethylene(dimethylimino)eth ylene(dimethylimino)ethylene dichloride)
ID970015	Comite Agricultural Miticide	Propargite
OR080004	Comite Agricultural Miticide	Propargite
OR080005	Comite Agricultural Miticide	Propargite
OR080006	Dimilin 2L	Diiflubenzuron
OR080007	Comite Agricultural Miticide	Propargite
OR080008	Dimilin 2L	Diiflubenzuron
OR080009	Comite Agricultural Miticide	Propargite
OR080011	Comite Agricultural Miticide	Propargite
OR080012	Comite	Propargite

Table 3 of this unit includes the names and addresses of record for all registrants of the products in Tables 1 and 2 of this unit, in sequence by EPA company number. This number corresponds to the first part of the EPA registration numbers of the products listed in Tables 1 and 2 of this unit.

**Table 3.--Registrants of Cancelled Products**

EPA Company Number	Company Name and Address
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56	Eaton JT & Company Inc. 1393 E. Highland Rd. Twinsburg, OH 44087
279	FMC Corp., Agricultural Products Group ATTN: Michael C. Zucker 1735 Market St., RM. 1978 Philadelphia, PA 19103
402	Hill Manufacturing Co., Inc. 1500 Jonesboro Rd. SE Atlanta, GA 30315
577	The Sherwin-Williams Co. 101 Prospect Ave. Cleveland, OH 44115
707	Rohm & Haas Co. 100 Independence Mall West Philadelphia, PA 19106
748	PPG Industries, Inc. 4325 Rosanna Drive Allison Park, PA 15101
1706	Nalco Company 1601 West Diehl Road Naperville, IL 60563
2724	Wellmark International - D/B/A Central Life Sciences 1501 E. Woodfield Rd., Suite 200 W. Schaumburg, IL 60173
5481	Amvac Chemical Corporation 4695 MacArthur Court Suite 1200 Newport Beach, CA 92660-1706
10088	Athea Laboratories Inc. P.O. Box 240014 Milwaukee, WI 53224
10324	Mason Chemical Co 721 W Algonquin Rd Arlington Heights, IL 60005

10807	Amrep, Inc. 990 Industrial Park Drive Marietta, GA 30062
32802	Gro Tec, Inc., D/B/A Howard Johnson's Enterprises Inc. Agent: RegWest Company, LLC 8203 West 20th St., Suite A Greeley, CO 80634-4696
35571	Chem Pro Lab, Inc. 941 W. 190 St. Gardena, CA 90248
47000	Chem-Tech, LTD 4515 Fleur Dr. #303 Des Moines, IA 50321
55137	Southwest Engineers 39478 HWY 190 E Slidell, LA 70461
60061	Kop-Coat, Inc. 436 Seventh Avenue Pittsburgh, PA 15219
61842	Tessengerlo Kerley, Inc. Agent: Pyxis Regulatory Consulting, Inc. 4110 136th Street, N.W. Gig Harbor, WA 98332
66806	Tandem Technologies International P.O. Box 1125 Carrollton, GA 30112
67360	Ackros Chemicals, Inc. Agent: Technology Sciences Group Inc. 1150 18th St., N.W. Suite 1000 Washington DC 20036
75613	Stormollen A/S Agent: Vitfoss USA, D/B/A Kongskilde Industries, Inc. 19500 N. 1425 East Road Hudson, IL 61748
81880	Canyon Group LLC c/o Gowan Company 370 S. Main Street Yuma, AZ 85364

83504	Kerley Trading Inc. P.O. Box 15627 Phoenix, AZ 85060
62719; NY060002; CA020016; NY080009; MS050001; ND050008; IA080001; AR940005; CA950014; DE930004; MI940001; MO040004; NV940002; OR940027; WA000010; WI030005; AZ020002; AZ020010; AZ050005; CA040020; CA790002; ID910016; CA000014; CA010017; CA040021; CA990007; CA990008; FL990010; TX000002; CA950008; MS010012; MS050002; ND010005; KY040001; SC000001; TN060005; NJ010001; PA010003; VA020002; WV010001; NY080008; CA020010; GA980001; NC970004; SC970005; TN990002; TX040023; AR960009; CA960019; CA960020; CA960021; CA960022; CA960023; CA960026; CA960028; CA970026; CT020003; LA020007; LA960012; MI970002; MN960006; MS000010; MS960015; MT960003; NC020003; NC960005; NC960006; NC990007; ND960005; ND980001; NV990007; OR960037; OR970008; SD010002; SD960006; WA970024; AR020001; HI020001; LA020001; MS020003; ND020006; ND020007; LA060011	Dow AgroSciences LLC 9330 Zionsville RD 308/2E Indianapolis, IN 46268-1054
ID970015; OR080004; OR080005; OR080006; OR080007; OR080008; OR080009; OR080011; OR080012	Chemtura Corp. 199 Benson Rd. Middlebury, CT 6749

### III. Summary of Public Comments Received and Agency Response to Comments

During the public comment period provided, EPA received a request from one registrant to rescind their request for voluntary cancellation. Aceto Agricultural Chemicals Corp. rescinded their request for voluntary cancellation of registration number

002749-00119, containing tributyltin oxide. EPA received no other comments in response to the June 13, 2012 **Federal Register** notice announcing the Agency's receipt of the requests for voluntary cancellations of products listed in Table 1 of Unit II.

#### **IV. Cancellation Order**

Pursuant to FIFRA section 6(f), EPA hereby approves the requested cancellations of the registrations identified in Tables 1 and 2 of Unit II. Accordingly, the Agency hereby orders that the product registrations identified in Tables 1 and 2 of Unit II. are cancelled. The effective date of the cancellations that are the subject of this notice is *[insert date of publication in the **Federal Register**]*. Any distribution, sale, or use of existing stocks of the products identified in Table 1 and 2 of Unit II. in a manner inconsistent with any of the provisions for disposition of existing stocks set forth in Unit VI. will be a violation of FIFRA.

#### **V. What is the Agency's Authority for Taking this Action?**

Section 6(f)(1) of FIFRA provides that a registrant of a pesticide product may at any time request that any of its pesticide registrations be cancelled or amended to terminate one or more uses. FIFRA further provides that, before acting on the request, EPA must publish a notice of receipt of any such request in the **Federal Register**. Thereafter, following the public comment period, the EPA Administrator may approve such a request. The notice of receipt for this action was published for comment in the **Federal Register** issue of June 13, 2012 (77 FR 35379) (FRL-9351-7). The comment period closed on July 13, 2012.

#### **VI. Provisions for Disposition of Existing Stocks**

Existing stocks are those stocks of registered pesticide products which are currently in the United States and which were packaged, labeled, and released for shipment prior to the effective date of the cancellation action. The existing stocks provisions for the products subject to this order are as follows:

**A. Registrations Listed in Table 1 of Unit II**

The registrants may continue to sell and distribute existing stocks of products listed in Table 1 of Unit II. until September 12, 2013, which is 1 year after the publication of the Cancellation Order in the **Federal Register**. Thereafter, the registrants are prohibited from selling or distributing products listed in Table 1, except for export in accordance with FIFRA section 17, or proper disposal. Persons other than the registrants may sell, distribute, or use existing stocks of products listed in Table 1 of Unit II. until existing stocks are exhausted, provided that such sale, distribution, or use is consistent with the terms of the previously approved labeling on, or that accompanied, the cancelled products.

**B. Registrations Listed in Table 2 of Unit II**

Registrants are allowed to sell and distribute existing stocks of these products until January 13, 2013, 1 year after the date on which the maintenance fee was due. Thereafter, registrants will be prohibited from selling or distributing the pesticides identified in Table 2 of Unit II., except for export consistent with FIFRA section 17 or for proper disposal. Persons other than registrants are allowed to sell, distribute, or use existing stocks until such stocks are exhausted, provided that such sale, distribution, or use is consistent with the terms of the previously approved labeling on, or that accompanied, the cancelled products.

**List of Subjects**

Environmental protection, Pesticides and pests.

Dated: August 30, 2012.

Richard P. Keigwin, Jr.,

*Director, Pesticide Re-evaluation Division, Office of Pesticide Programs.*

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